

REMARKS

In this amendment, no claims have been amended. Claims 15 – 17, 19 – 24, 26, 33 – 34, and 36 – 41 are pending.

In the Office Action mailed March 20, 2006, Claims 15 – 17, 19 – 24, 26, 33, 34 and 35 – 39 were rejected as obvious in view of US 2004/0093042 (Altshuler et al) in view of U.S. 6,120,497 (Anderson et al) and further in view of U.S. 6,413,268 (Hartman). Claim 40 is rejected as obvious in view of US 2004/0093042 (Altshuler et al) in view of U.S. 6,120,497 (Anderson et al), U.S. 6,413,268 (Hartman), and U.S. 5,885,274 (Fullmer). Claim 41 is rejected as obvious in view of US 2004/0093042 (Altshuler et al) in view of U.S. 6,120,497 (Anderson et al), and US Application 2005/017850 (Vaynberg).

Claims 15 and 23 recite the steps of:

cooling the transmissive material for a predetermined time period after the termination of the transmission of light to the skin; and

providing a visual indication, and discontinuing the visual indication after the end of the predetermined time period.

Each of the dependent claims is dependent from Claim 15 or 23 and thus also includes this feature.

The Hartman reference is cited as disclosing “an apparatus for skin treatment with light that includes a microprocessor for control that provides an audible and visual indication of completion of the treatment cycle. (Col. 8, lines 36-42).” Within the Hartman housing 10 is a shutter 28 positioned along the optical path of energy emitted by the lamp 12. The cited section of Col. 8 indicates that the opening and closing of the lamp’s shutter 28 (to allow energy from the lamp to travel to the light guide and handpiece) gives an audible or visible indication that energy delivery to a selected area is complete. Applicant respectfully submits that the combined teachings of Hartman with the other references does not render obvious the present combination of steps calling for cooling the transmissive material (that is in contact with tissue) for a predetermined period, and discontinuing a visual indication at the end of that time period.

The “indicator” of Hartman signals the user that energy delivery has ended, prompting the user to lift the handpiece from the tissue. Thus, the combined teachings of the cited references would suggest that a visual indication of the end of treatment in the Anderson or

Altshuler system is provided when the lamp of one of those system turns off, thus similarly signaling to the user that the handpiece can be lifted from the skin. This does not render obvious the claimed feature of discontinuing the visual indication only after the end of a predetermined time period (corresponding to the end of a post-treatment cooling period), which was developed to *prevent* the user from lifting the handpiece after the energy delivery has ended but before the post-treatment cooling period has ended. For this reason, the claims are not made obvious by the cited combination of references.

Conclusion

In view of the above, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the pending claims and a notice of allowance are respectfully requested.

Respectfully submitted,

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Dated: June 20, 2006

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